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Permit No. 016
Outfall No. 001

City of Kokomo
Wastewater Treatment Plant

PERMIT TO DISCHARGE
WASTEWATER TO THE MUNICIPAL SEWER SYSTEM

Company Name: Milbank Mfg. Co., Inc.
(Industrial User)

Division Name (If Applicable) _____

Mailing Address 1400 E. Havens St.
Street or P.O. Box

Kokomo, IN 46903-0754
City, State and Zip Code

Facility Address 1400 E. Havens St.
Street Address

Kokomo, IN 46903-0754
City, State and Zip Code

Location of Outfall(s) Collection pit inside facility


Monitoring Point(s) Effluent from washer, phosphating
and rinse tanks inside of facility

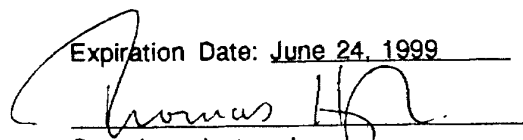
The above Industrial User is authorized by the Kokomo Board of Public Works & Safety ("Board") to discharge industrial wastewater to the City of Kokomo ("City") wastewater treatment system in compliance with Chapter 52 of the Kokomo Municipal Code (1981) ("Municipal Code"), all applicable provisions of Federal or State law, regulation or rule, and in accordance with discharge outfall(s), effluent limitations, monitoring requirements, and other conditions set forth in this Wastewater Discharge Permit ("Permit").

This Permit is granted in accordance with the application filed on May 15, 1994 in the office of the Kokomo Wastewater Treatment Plant ("WWTP"), and in conformity with plans, specifications, and other data submitted to the City in support of the above application.

Effective Date: June 24, 1994

Expiration Date: June 24, 1999


City Controller


Superintendent and
Pretreatment Administrator

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1st QUARTER - ZINC
2nd QUARTER - SILVER
3rd - ZINC + TH
4th ANNUAL

Part I - Wastewater Discharge Limitations and Monitoring Requirements

A. Effluent Limitations and Monitoring Requirements

1. During the period beginning on the effective date of this Permit and lasting until the expiration date, the Industrial User is authorized to discharge wastewater effluent from outfall 001. Such discharge shall be limited and monitored by the Industrial User as specified below:

Effluent Characteristics [1]	<u>Effluent Limitations</u>		<u>Monitoring Requirements</u>	
	Daily Max. (mg/l)	Monthly Average (mg/l)	Measurement Frequency [2]	Sample Type
Rate of Flow	NA	NA	NA	NA
Time of Discharge	NA	NA	NA	NA
Cadmium	0.56	0.21	Semi-annually	24 hour composite
Chromium	2.23	1.38	Semi-annually	24 hour composite
Chromium + 6 [3]	0.50	NA	Semi-annually	Grab
Copper	2.72	1.67	Semi-annually	24 hour composite
Lead	0.56	0.35	Semi-annually	24 hour composite
Nickel	3.21	1.92	Semi-annually	24 hour composite
Silver	0.35	0.19	Semi-annually	24 hour composite
Zinc	2.10	1.19	Quarterly	24 hour composite
Cyanide [4]	0.70	0.52	Semi-annually	24 hour composite
TTO [5]	1.72	NA	Semi-annually	See Note Below

[NOTE: TTO (Total Toxic Organics) samples should be grabs for volatiles and composites for semivolatiles. Grabs should be used when sampling volatiles and semivolatiles together.]

- [1] All metals shall be analyzed as Total Metals, except for Chromium+6 which shall be analyzed as the dissolved form.
- [2] Parameters which are to be analyzed twice annually shall be done during the months of June and December.
- [3] The maximum holding time for hexavalent chromium is 24 hours according to 40 CFR 136.3, Table II. Therefore, hexavalent chromium is to be monitored by collecting a representative grab sample and analyzing it within 24 hours.
- [4] The maximum holding time for cyanide is 24 hours when sulfide is present and 14 days when sulfide is absent according to 40 CFR 136.3, Table II. Therefore, CN is to be monitored by collecting a representative grab sample and analyzing it within 24 hours. Alternatively, the permittee may collect a composite sample and analyze it within 14 days of the commencement of the sampling period if the permittee can demonstrate the wastewater contains no sulfide or sanitary wastewater.
- [5] See Part III.C., TTO Monitoring Requirements of this Permit.

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a. The pH shall not be less than 6.0 nor greater than 10.0 and shall be monitored by grab sample and recorded Quarterly.

b. Samples and measurements taken as required herein shall be representative of the volume and nature of the wastewater effluent. All samples shall be taken at the monitoring point(s) specified by this permit. Monitoring points shall not be changed without prior approval of the Superintendent.

c. During the period beginning on the effective date of this Permit and lasting until the expiration date, the Industrial User shall report all wastewater effluent sample analyses. Each sample taken shall be analyzed and reported.

d. There shall at no time be a discharge of pollutants having characteristics or in concentrations in excess of limits established or prohibited by §§ 52.010 through 52.012 of the Municipal Code; this Permit; 327 IAC 5-12-2; or 40 C.F.R. § 403.5.

e. Description of Removal Credits Granted; NONE

f. The 24 hour composite sample shall consist of at least eight flow proportioned samples collected at equal intervals for a 24 hour period. Composite samples shall be collected at a minimum of every two hours during working hours .

2. There shall occur no bypass of wastestreams unless: (a) bypass was unavoidable to prevent loss of life, personal injury, or severe property damage; or (b) there were no feasible alternatives to the bypass; and (c) the Industrial User submits prior notice of anticipated bypass or notice within 24 hours of unanticipated bypass and a written report describing the bypass, its cause and duration within five days of the bypass event. Bypass which does not result in violation of Pretreatment Standards or Pretreatment Requirements is not prohibited, but only if it also is for essential maintenance to assure efficient operation.

3. The effluent limitations contained in this Permit are based upon the most stringent Pretreatment Standards found in federal, state and local law, regulation or rule.

B. Definitions

The following definitions and the definitions found in Section 52.001 of the Municipal Code apply to this Permit:

1. **Authorized Representative of Industrial User** means:

a. In the case of a corporation, president, secretary, treasurer or vice president of the corporation in charge of a principal business function.

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b. In the case of a partnership or proprietorship, a general partner or proprietor, respectively, and

c. An authorized representative of an individual designated above if: (i) such representative is responsible for the overall operation of the facility from which the discharge of wastewater to the WWTP originates, (ii) the authorization is in writing, and (iii) the written authorization is submitted to the Superintendent.

2. **Composite sample** shall contain a minimum of eight discrete samples taken at equal time intervals over the compositing period or proportional to the flow rate over the compositing period.

3. **Daily maximum concentration** shall mean the highest measured concentration on any calendar day during a calendar month.

4. **Monthly average concentration** means the arithmetic average of all daily determinations of concentration made during a calendar month. Daily determinations of concentration made using a composite sample shall be the concentration of the composite sample.

5. **Grab sample** shall mean a sample which is taken from a wastestream on a one-time basis with no regard to the flow in the wastestream and without consideration of time.

6. **Slug discharge** shall mean only discharge of a non-routine, episodic nature, including but not limited to, an accidental spill or non-customary batch discharge.

7. **Control Authority** shall be the City of Kokomo Municipal Sanitation Utility Wastewater Treatment Plant.

8. **Bypass** shall mean the intentional diversion of a wastestream from any portion of the Industrial User's treatment facility.

9. **Standard Methods** shall mean the sampling and analytical techniques prescribed in 40 C.F.R. Part 136 and amendments thereto in effect at the time sampling and analysis is performed. Where 40 C.F.R. Part 136 does not contain techniques appropriate for the pollutant, or the Superintendent determines the techniques are inappropriate, sampling and analysis shall be performed using validated analytical methods approved by the Superintendent.

10. **Pretreatment Standard** shall mean any regulation containing pollutant discharge prohibitions or limits promulgated by U.S. EPA in accordance with Section 307 (b) and (c) of the Clean Water Act (33 U.S.C. § 1317(b) and (c)) and includes the specific discharge limits and prohibitions contained in Chapter 52 of the Municipal Code or this Permit.

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11. Pretreatment Requirement shall mean any substantive or procedural requirement related to discharges of wastewater to the WWTP other than Pretreatment Standards imposed upon an Industrial User by federal, or state law, regulation or rule, Chapter 52 of the Municipal Code or this Permit.

Part II - Special Conditions/Compliance Schedules

A. In addition to the terms and conditions specifically set forth in this Permit, the Industrial User is expressly subject to all other regulations, user charges, and fees established by the City.

B. The following special conditions are included in the Permit:

1. The Industrial User shall develop and submit to the Superintendent, within three months of the effective date of this Permit, an Accidental Spill Prevention Plan to eliminate or minimize the accidental or slug discharge of pollutants into the wastewater treatment system. Detailed plans showing facilities and operating procedures to provide this protection shall be submitted to the Superintendent for review and shall be approved by him before construction of the facility. (Section 52.034 of the Municipal Code.)

2. Plans, specifications or other pertinent data or information relating to the modification of existing pretreatment or flow-control facilities shall be submitted to the Superintendent for review and approval prior to construction. (Section 52.031 of the Municipal Code.)

3. If pretreatment facility construction or modification is required in order to achieve compliance with the conditions of this Permit, the Compliance Schedule shall be as follows:

1. Hire engineers NA months
2. Submit plans and specifications NA months
3. Complete final plans NA months
4. Execute contract for major components NA months
5. Start of construction NA months
6. Finish of construction NA months

The time frames set forth above apply only to the individual task and are the maximum time allowable. If a task is completed before the expiration of the maximum time period, the succeeding task begins immediately upon completion of the task. Progress Reports shall be submitted as outlined in Part III of this permit.

4. The Industrial User shall pay an annual Permit Fee of \$1800.00. The Permit Fee shall be paid before January 1 of each year. The Permit Fee is subject to annual review and change by the City Council. A complete list of charges and fees is attached as Exhibit A.

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Part III - Monitoring and Reporting

A. Monitoring

The Industrial User shall construct or install, if not already constructed or installed, and maintain in a safe and proper condition, a monitoring and inspection facility with NA months of the effective date of this Permit adequate to allow the User, or Superintendent, to inspect, sample or measure effluent subject to this Permit. The User shall report the completion of its monitoring facility by NA. (Section 52.045 of the Municipal Code.)

B. Reporting

1. The Industrial User shall notify the Superintendent immediately upon any accidental or slug discharge to the wastewater treatment system as outlined in Section 52.035 of the Municipal Code. Formal written notification discussing circumstances which caused the discharge and remedies to prevent future such discharges shall be submitted to the Superintendent within five days of the occurrence.

2. The Industrial User shall notify the Superintendent of any sample analysis that indicates a violation of Pretreatment Standards within 24 hours of becoming aware of the violation. The User shall also repeat the sampling and analysis and submit the results to the Superintendent within 30 days after becoming aware of the violation.

3. The Industrial User shall notify the Superintendent prior to the introduction of new wastestreams or pollutants or any substantial change in the volume or characteristics of the wastewater being introduced into the WWTP from the User's facility. Formal written notification shall be submitted to the Superintendent within 30 days of such introductions.

4. The Industrial User shall submit to the Superintendent, Monthly Monitoring Reports on the results of its monitoring of the pollutants specified in Part I of this Permit. This report shall also contain monthly flows. This report shall be submitted no later than the 28th of each month for the preceding month. (Section 52.045 of the Municipal Code.)

5. The Industrial User shall submit to the Superintendent, Semi-annual Compliance Reports indicating the nature and concentration of pollutants in the effluent which are subject to limitations by Pretreatment Standards for the periods of January through June and July through December. These reports shall be due within 30 days of the end of each six-month period.

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6. Not later than fourteen (14) days following each date in the Compliance Schedule, the Industrial User shall submit a progress report to the Superintendent. This report must indicate whether or not the increment of progress was met on the date, the reason(s) for any delay, and what steps are being taken by the User to return to the schedule established. In no event shall more than (nine) months elapse between such progress reports.

7. Within 180 days after the promulgation of a Pretreatment Standard applicable to the Industrial User, the User shall submit to the Superintendent a report which contains the information listed in Section 52.047 of the Municipal Code.

8. All reports and notices required under this Permit shall be submitted to the following address:

Thomas High
Superintendent and Pretreatment Administrator
Kokomo Wastewater Treatment Plant
1501 W. Markland Ave.
Kokomo, Indiana 46901

C. TTO Monitoring Requirements

1. The Total Toxic Organics (TTO) limitation is defined as the summation of all quantifiable values greater than 0.01 mg/l for the toxic organic compounds (TOC) listed in Attachment B to this permit. For each TOC used at the facility, an analysis for that compound must be performed. The sum of all values for each TOC shall not exceed the TTO limitations in Part I.A.

2. The Industrial User needs to analyze only for those toxic organics that would reasonably be expected to be present in the discharge. Compliance with the TTO standard shall be achieved by the effective date of this permit.

If no Toxic Organic Compounds are used, the Industrial User shall comply with the reporting requirements in 40 CFR 403.12(e), by submitting the following certification statement with the Compliance Monitoring Report for the months of June and December:

"Based on my inquiry of the person or persons directly responsible for managing compliance with the pretreatment standard for Total Toxic Organics (TTO), I certify that, to the best of my knowledge and belief, no toxic organics are used at this facility"

This statement must be signed by the signatory to the self-monitoring report.

3. In lieu of monitoring for TTO, and at the discretion of the Superintendent, the Industrial User may make the following certification as a comment to the Compliance Monitoring Report required by 40 CFR 403.12(e):

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"Based upon my inquiry of the persons directly responsible for managing compliance with the pretreatment standard for Total Toxic Organics (TTO), I certify that, to the best of my knowledge and belief, not dumping of concentrated toxic organics into the wastewaters has occurred since filing the last discharge monitoring report. I further certify that this facility is implementing the toxic organic management plan submitted to the Superintendent."

In requesting that no monitoring be required, the Industrial User shall submit a Toxic Organic Management Plan (TOMP) that specifies to the Superintendent's satisfaction the following conditions:

- a. The toxic organic compounds used;
- b. The method of disposal used instead of dumping, such as reclamation, contract hauling, incineration, etc.; and
- c. The procedures for assuring that toxic organics do not routinely spill or leak into the wastewater.

If the Industrial User is capable of complying with the above conditions and chooses the certification option in lieu of monitoring, a Solvent Management Plan shall be submitted for approval by the Superintendent within six months from the effective date of this permit.

Part IV - Standard Conditions

A. The Industrial User shall comply with all Pretreatment Standards and Pretreatment Requirements including, without limitation, the requirements of this Permit.

B. The Industrial User shall comply with the following standard conditions:

1. Right of Entry

Whenever it shall be necessary for the purposes of implementation and enforcement of the provisions of this Permit or any other Pretreatment Standard or Pretreatment Requirement, the Superintendent, or designated representative, upon presentation of proper credentials and identification, may enter upon the property or premises of the Industrial User, or any premises where records required to be maintained are located, at reasonable times for the purpose of:

- a. Copying any records required to be kept under the provisions of this Permit or Pretreatment Requirements;
- b. Inspecting any monitoring equipment or method; and
- c. Sampling any discharge of wastewater to the WWTP.

The Superintendent may enter upon the property at any hour under emergency circumstances.

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2. Test Procedures

The analytical and sampling methods used shall conform to 40 CFR Part 136 and amendments thereto in effect at the time sampling and analysis is performed. Where 40 CFR Part 136 does not contain techniques appropriate for the pollutant, or the Superintendent determines the techniques are inappropriate, sampling and analysis shall be performed using validated analytical methods approved by the Superintendent.

3. Records Retention

The Industrial User shall retain and preserve for no less than three years, any records, books, documents, memoranda, reports, correspondence and any and all summaries thereof, relating to monitoring, sampling and chemical analyses made by or in behalf of the User in connection with its discharge.

All records that pertain to matters that are the subject of special orders or any other enforcement or litigation activities brought by the City shall be retained and preserved by the Industrial User until all enforcement activities have concluded and all periods of limitation with respect to any and all appeals have expired; or when requested by the Superintendent, the Commissioner of the Indiana Department of Environmental Management or the Administrator of U.S. EPA, Region V.

4. Confidential Information

Except for data determined to be confidential under Section 52.066 of the Municipal Code, all reports required by this Permit shall be available for public inspection at the office of the Superintendent. Effluent data submitted to the Superintendent shall not be treated as confidential.

5. Reporting of Results

For each measurement or sample taken pursuant to the requirements of this Permit, the User shall record the following information:

- a. The exact place, date and time and method of sampling and the name(s) of the person(s) taking the sample;
- b. The dates the analyses were performed;
- c. The name(s) of the person(s) who performed the analyses;
- d. The analytical techniques or methods used;
- e. The results of QA/QC performed; and
- f. The results of all required analyses.

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6. Additional Monitoring by the Industrial User

If the Industrial User monitors any pollutant more frequently than required by this Permit, using Standard Methods, the results of such monitoring shall be reported and included in the calculation and reporting of the values required in the Monthly Monitoring Report. Such increased frequency shall also be indicated.

7. Dilution

No Industrial User shall increase the use of potable or process water or, in any way, attempt to dilute wastewater effluent as a partial or complete substitute for adequate treatment to achieve compliance with Pretreatment Standards. (Section 52.012 of the Municipal Code.)

8. Proper Disposal of Pretreatment Sludges and Spent Chemical

The disposal of sludges and spent chemicals generated by the Industrial User shall be done in accordance with Section 405 of the Clean Water Act and Subtitles C and D of the Resource Conservation and Recovery Act.

9. Signatory Requirements

All reports required by this Permit shall be signed by an Authorized Representative of the User, who shall make the following certification:

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designated to assure that qualified personnel properly gather and evaluate the information. Based upon my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

10. Revocation of Permit

This Permit may be revoked when, after inspection, monitoring or analysis it is determined that the discharge of wastewater to the wastewater treatment system is in violation of Pretreatment Standards or Pretreatment Requirements. Additionally, falsification or intentional misrepresentation of data or statements pertaining to the Permit application or any other required reporting, shall be cause for Permit revocation.

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11. Limitation on Permit Transfer

Permits are issued to a specific Industrial User for a specific operation and are not assignable to another User or transferable to any other location without the prior written approval of the Superintendent. Sale of a User shall obligate the purchaser to seek prior written approval of the Superintendent for continued discharge to the wastewater treatment system. Discharge to the wastewater treatment system by the purchaser prior to receiving approval is prohibited.

12. Falsifying Information or Tampering with Monitoring Equipment

Knowingly making any false statement on any report or other document required by this Permit or knowingly rendering any monitoring device or method inaccurate, may result in punishment under the criminal laws of the City, as well as subject the User to civil penalties and relief. In addition, all reports required to be submitted or maintained under this Permit are subject to 18 U.S.C. § 1001, and 33 U.S.C. § 1319(c)(4) and (6).

13. Modification or Revision of the Permit

The terms and conditions of this Permit may be subject to modification by the City at any time Pretreatment Standards or Pretreatment Requirements are modified or other just cause exists. The User shall be informed at least 30 days prior to the effective date of any change. Changes or new conditions in a Permit shall include a reasonable time schedule for compliance, if necessary.

This Permit may also be modified to incorporate special conditions resulting from the issuance of a special order.

14. Duty to Reapply

The Industrial User shall apply for renewal of this Permit 90 days prior to expiration. If the User is not notified by the Superintendent of renewal thirty days prior to the expiration of this Permit, the Permit shall automatically be extended for three months. The Superintendent may extend the effectiveness of this Permit beyond the initial three month extension until a renewal is issued.

15. Severability

The provisions of this Permit are severable, and if any provision of this Permit, or the application of any provision of this Permit to any circumstance, is held invalid, the application of such provision to other circumstances, and the remainder of this Permit shall not be affected thereby.

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16. Property Rights

The issuance of this Permit does not: convey any property rights in either real or personal property; grant any exclusive privileges; authorize any injury to persons or private property or invasion of other private rights; authorize any infringement of federal, state or local laws, regulations, rules or requirements; or preempt any duty to obtain state or City approval required by law, regulation or rule for construction or operation of the facility which is the source of the permitted wastewater discharge.

17. Enforcement and Penalties

a. Enforcement

The conditions of Permits shall be uniformly enforced in accordance with Chapter 52 of the Municipal Code and applicable federal and state law, regulations and rules. Enforcement of this Permit may include the issuance of a Notice of Violation, providing an opportunity to correct the violation, a Show Cause hearing before the Board, and/or judicial action to compel compliance and termination of the wastewater discharge. (Sections 52.090-92 of the Municipal Code.)

b. Penalties

In addition to other penalties and sanctions set out in this Permit or otherwise provided by law, any person who is found to have violated an order of the Board or who fails to comply with any provision of this Permit, Chapter 52 of the Municipal Code or rules and regulations issued hereunder, shall be fined not less than \$100.00, nor more than \$1,000.00 for each offense. Each day a violation shall occur or continue shall be deemed a separate and distinct offense. In addition, the City may recover reasonable attorney's fees, court costs, court recorder's fees and other expenses of litigation by appropriate suit at law against the person found to have violated the provisions set forth above. (Section 52.999 of the Municipal Code.)

18. Operator Certification

The Industrial User shall have the waste treatment facilities under the direct supervision of an operator certified by the Indiana Department of Environmental Management as required by IAC 13-1-6.

SUMMARY SHEET FOR MILBANKS

1. Fee of \$1800.00 due within 30 days of delivery. Will be due annually on January 1 of each year. A reminder bill is sent.
2. Every 3 months starting in July, sampling and analysis for pH, and Zinc will be performed. The first monthly report is due by August 28, 1994.
3. In December, analysis shall be ran on all parameters listed in permit. A compliance report shall be completed at this time and all analysis submitted by January 28. Analysis is required on all paramaters in the month of June and December for the duration of the permit.
4. Within 3 months an Accidental Spill Prevention Plan shall be submitted. This is to minimize accidental or slug spills into the wastewater system.

5. A Compliance Schedule shall be as follows:

1. Hire engineers _____ months
2. Submit plans and specifications _____ months
3. Complete final plans _____ months
4. Execute contract for major components _____ months
5. Start Construction _____ months
6. Finish Construction _____ months
7. Fine tuning _____ months

each time period is the maximum time, if completed before time period the next step become effective and so on until complete. Progress reports shall be submitted 14 days after completion of each task.

6. Accidental or slug discharges must be reported and a formal letter sent within 5 days of the occurence.
7. Must notify of any changes to process, such as increased volume, new process, etc. within 30 days of such changes.
8. TTO Requirements
9. Standard Conditions

EXHIBIT A

Section 50.31 (B) of City Code: The minimum charge for sewerage services shall be calculated from a monthly minimum base expressed in cubic feet times the rate per cubic foot as set forth in the appropriate rate ordinance:

Sewer Use Charges are as follows:

	<u>Domestic</u>	<u>Manufacturing</u>
1. <u>Volume charges.</u> Per 1,000 gallons used each month.	\$ 2.78	\$ 1.55
<u>Minimum Charges.</u> Per month per user		
5/8 or 3/5 inch meter	5.56	5.56
1 inch meter	12.61	12.61
1-1/2 inch meter	25.22	25.22
2 inch meter	44.67	44.67
2. Flat charges. per month per user , domestic	16.70	
3. Excess strength surcharge.		
a. Suspended Solids in excess of 250 milligrams per liter, per lb.		.170
b. Biochemical oxygen demand (five day) in excess of 200 milligrams. per lb.		.196
4. Tax equalization charge		
Excess percentage of charges by application of tariffs (B) (1) through (B) (3) above.	25%	25%
5. Industrial surveillance charge Per user per quarter		108.75

Industrial Discharge Permit fees shall be as follows:

Monitoring Level	Permit Fee
A	\$5000.00
B	\$2750.00
C	\$1800.00

Additional fees and charges for Pretreatment Program which include but is not limited to non-compliance monitoring and inspection, review of construction plans, annual publication of violators, filing appeals and private priority pollutant analysis shall be billed directly to the involved industry as follows: (Section 502.2 of Ordinance No. 5444)

Charge Area	Rate
Administrator	\$17.50/hour
Assistant Administrator	\$12.50/hour
Technician	\$11.00/hour
Clerical	\$ 9.00/hour
Legal	At cost
Private Analysis	At cost + 10%